

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

City of Anaheim,

Complainant,

vs.

Union Pacific Railroad Company,

Defendant.

Case 03-07-040  
(Filed July 25, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING  
GRANTING REQUEST FOR A SHORTENED PERIOD TO ANSWER  
AMENDED COMPLAINT AND SETTING EVIDENTIARY HEARING**

This ruling grants the City of Anaheim's (City) request for a shortened answer period to its amended complaint. The City filed its amended complaint on January 29, 2004, expanding the scope of the complaint to include the condition of all identified railroad tracks and underlying roadways within the Anaheim. The original complaint identified only railroad crossings within the city. During a prehearing conference (PHC) in this matter held January 20, 2004, the City advised it would likely file an amended complaint and if so, would request a shortened answer period from defendant since the issues were known to the defendant and discussed in the PHC. Allowing one day for reasonable mailing time and holidays, UP is now directed to answer the amended complaint by February 17, 2004.

During the PHC, the parties agreed to further discuss the issues, including a possible settlement, and jointly report on the results by February 25, 2004. The parties were advised at the PHC that an evidentiary hearing, if necessary, would be scheduled for late March, with prepared testimony filed 10 days prior to the hearing.

**IT IS RULED** that:

1. The request by the City of Anaheim for a shortened answer period to its amended complaint, dated January 29, 2004, is granted.
2. The Union Pacific Railroad Company is directed to answer the amended complaint by February 17, 2004.
3. The parties are directed to further informally discuss the complaint, including a possible settlement, and file a joint report on the results by February 25, 2004.
4. An evidentiary hearing in this matter, if necessary, is scheduled for March 23, 2004, at 10:00 a.m., in the Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California.
5. If the evidentiary hearing is held, prepared written testimony shall be served on the service list by March 12, 2004.

Dated February 5, 2004, at San Francisco, California.

/s/ KENNETH L. KOSS

Kenneth L. Koss  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Request for a Shortened Period to Answer Amended Complaint and Setting Evidentiary Hearing on all parties of record in this proceeding or their attorneys of record.

Dated February 5, 2004, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.